

Democratic Decentralization of Powers through the Development of Panchayati Raj Institution in India

Khushboo Goswami

Research Scholar, Jayoti Vidyapeeth Women's University, Jaipur

Prof. (Dr.) Sapna Gehlot

Research Guide, Jayoti Vidyapeeth Women's University, Jaipur

INTRODUCTION

India, predominantly, is a land of villages and about 72 percent India's total population of India resides in the rural areas. The rural areas thus forms the roots for the governance in India and the democracy should start thereon. Mahatma Gandhi also said that the key thing for the growth and for the governance should not be the big cities but the village because it is where India resides. In India, we have a specific framework for governance at the village level. The administration of such tiny unit of India is by the Institutes, called the Panchayati Raj Institutions. The Panchayati Raj Institute draws their life from the Constitution under Part IX under the head The Panchayats.

Panchayati raj institutions constitute the third strata of the autonomous system of the government of India, the two being the Central government and State government. The implementation of Panchayati raj as the third tier of decentralized government is also one of the most impressive social and political reforms since independence. There, however, are many daunting challenges which panchayat bodies face today. Across the states there is a shortage of sincere devolution of funds, duties and functionaries to the Panchayati raj institutions.

The socio-political improvements expected from the implementation of Panchayati raj system have not fulfilled for long. More specifically the goals like racial inclusion, gender diversity and reforms at the grassroots level leadership envisaged as the core objectives of Panchayati raj are not accomplished in a substantive way. In this sense it was understood that the oppressed groups including women, and other backward groups in the community continued to face many obstacles and found it difficult to engage at the grassroots level growth process.

Panchayati Raj, a synonym of democratic Decentralization, was initiated in India in the late 1950s and early 1960s to restore to the erstwhile institution of Panchayat the pristine glory that it enjoyed in ancient India. It reflects a democratic ideal and is embodied in the rural local-self Government in its institutional nature. The definition as such is not new to India. The plea for greater autonomy to the rural bodies received philosophical intensity with Mahatma Gandhi's advent on the national scene and his enunciation of the doctrine of the national growth by autonomous

rural organizations that he drives to model on the lines of Panchayat structure as it prevailed in ancient India. He envisaged five-tier system of Village Panchayats, Taluka panchayats, District panchayats, Provincial panchayats, and All-India panchayats. The administrative system envisaged by him was that of a pyramid whose broad base was composed of numerous village communities of the country. The higher panchayats shall tender sound advice, give expert guidance and information supervise and co-ordinate the activities of the village panchayats with a view to increasing the efficiency of the administration and public service. But it would be the basic units that would dictate to the center and not vice versa. In fact, the whole system would turn upside down, the village shall become the real and moving unit of administration. Government's efforts to do developmental work through the institutions of Block Development Officers and nominated members of village Panchayats of that region and some other organizations like the cooperative's societies struggled miserably to accomplish Decentralization to any satisfactory degree. Any state governments did do their hardest to decentralize Powers, but the overall situation did not change. From 1957 to 1986, several committees like Balwant Ray Mehta (1957), K. Santhanam (1963), Ashok Mehta (1978), GVK Rao (1985) and L.M. Sanghvi (1986) made a variety of proposals to the central Amendment Bill) in the Lok Sabha in 1989 to achieve the above stated conflicting objectives.

Rajasthan, the first state to adopt the guidelines on 'Democratic Decentralization' resorted to minimal variance and patterned the three-tier system of Panchayati Raj more or less, on the model suggested by the Balwantray Mehta team. The other states which followed suit, viz., Andhra Pradesh, Uttar Pradesh, and Punjab also did not carry out radical variety. In 1960, however, the Maharashtra government, while preparing for Panchayati Raj's implementation A notable aspects of the evolution of Panchayati Raj in the early sixties, was the way the two western states, i.e., Maharashtra and Gujarat – not only accepted the ideas of Panchayati Raj, but in effect preferred a more robust tier at the district level. These two pioneers of a strong Zila Parishad pattern have remained the best examples of Panchayati Raj in the country, notwithstanding fluctuations,

vicissitudes, and setbacks, being experienced practically in the rest of the country.

Keywords-Panchayati Raj, Democratic Decentralization, socio-political improvements, governance,

Organization of the Panchayats in India:

Despite the fact that the Panchayati Raj Institutions (PRIs) ' basic framework is indistinguishable over India's circumstances, it is represented by means of different classifications in various states. Panchayats in each state has its own characteristics and even race strategies to these institutions are at fluctuation from region to area. A District Panchayat or Zilla Parishad is created for every town. Any district has one Zilla Parishad. Likewise Block Panchayats or Panchayat Samitis are formed for the said district. About the fact that the Panchayati Raj Institutions (PRIs) ' basic structure is indistinguishable over India's circumstances, it is represented by means of separate classifications in various states. Panchayats in each state has its own characteristics and even race strategies to these entities are at fluctuation from region to sector. A District Panchayat or Zilla Parishad is established for every town. Any district has one Zilla Parishad. Likewise Block Panchayats or Panchayat Samitis are established for the said district.

Zilla Panchayat

Every Panchayat under a Zilla Parishad chooses one/two/three individuals directly (contingent upon the number of voters inside). Presidents of all the Block Panchayats are likewise ex-officio individuals from the Zilla Parishad. A few express the Member of Legislative Assembly (MLA) and Member of Parliament (MP) of the locale/body electorate are additional ex-officio individuals.

Block Panchayat

Every Gram Panchayat under a Block Panchayat chooses one/two/three individuals specifically to the Block Panchayat. Gram Pradhan's are ex-officio individuals from the Block Panchayats.

Gram Panchayat

Gram characterized under the Act (which means a town or a bunch of cities) is separated into at least five voting demographics (again relying upon the number of voters the Gram is having). From each of these voting demographics chose one part. The body of these chose individuals is known as the Gram Panchayat. Size of the Gram Panchayats fluctuates generally from state to state. In states like West Bengal, Kerala and so on a Gram Panchayat. has around 20000 individuals on an average, while in numerous different states it is around 3000 as it were in a large portion of states, every voting public of the individuals from the Gram Panchayat is known as the Gram Sabha and every one of the voters of the same body electorate are individuals from this body. In any case, in a few expresses, Ward Sabha/Palli Sabha and so on. In West Bengal it is called Gram Sanad (town

parliament). Gram Sabha in West Bengal has an alternate importance. Here every one of the voters of the Gram Panchayat overall constitute the Gram Sabha. Under the Constitution, there can be just three levels of the Panchayat. The Gram Sabha is not a level of the Panchayati Raj framework. It doesn't have any official capacity and works as a suggesting body as it were. Gram Sabha's hold gatherings ordinarily 2 to 4 times each year, however they can meet as and when important. In a few states dates of these gatherings are altered (Madhya Pradesh, Gujarat and so on) while in other dates are settled by the Gram Panchayats. Issues to be talked about in the gatherings can be far reaching yet the crucial motivation ought to include: Annual Action Plan and Budget, Annual Accounts and Annual report of the GP, choice of recipients for various social administration programs (Pradhan Mantri Awas Yojana , various Pension Schemes to name a few), recognizable proof of plans for planning of Annual Plan for advancement programs (e.g. MGNREGA) of Gram Panchayat, thought of the Audit reports, investigations of Gram Panchayat's execution and so forth.

Decentralization of power from Centre government to the Gram Panchayat Level

At the highest level of the Indian federal system, the Union Government has to promote and nurture successful panchayats at the federal pyramid's grassroots level. A fair pattern of devolution of powers to the panchayat bodies should be followed and for this a revision of the whole gamut of powers and obligations from Central government to the Gram Panchayat level is required. However, in India, establishing a powerful Panchayati Raj Institutions has never been a basis for claim for greater autonomy by the states. A strong state does not automatically mean that the state will have an active Panchayati Raj Institutions network.

Decentralized governance is a process which allows people's involvement in administration and development programmers. It remains significant for the realization of people-centered development and therefore, decentralized governance is a strategy for all people to enjoy equal rights, and is an instrument for building the capacity for economic development.

Many studies of Decentralization consider the transition of forces in three industries to be important for progress. Manor, for example, says, —If it is to have considerable potential, Decentralization must require a combination of all three types: political, economic, and administrative. These Political, institutional, and fiscal decentralization will occur in various ways and variations across countries, within countries and also with in sectors. Political decentralization is the transition of power to a sub national entity. Political decentralization seeks to allow voters or

their elected officials greater influence in democratic decision making. It is mostly synonymous with pluralistic and democratic democracy, but it may also promote democratization by allowing voters, or their representatives, greater say in the development and execution of policies. This process of decentralization is synonymous with progressive decentralization or devolution. Fiscal decentralization, entailing the allocation of financial services in the form of grants and tax-raising powers to sub-national units of government. Administrative decentralization, (sometimes referred to as deconcentrating), where the duties performed by central government are assigned to geographically separate administrative units.

The status of people and progress of the country to a large degree depends on the good governance at the grassroots level. Democratic decentralization at the grassroots level is envisaged as the most critical approach to make democracy real and achieve greater goals of an accountable, corrupt free, efficient and open government and distribution of services to the rural and urban community. Decentralization and growth of local government generally recognized an important political tool and means realization of sustainable and equal development in Indian states. Decentralization of power aims at easier and quicker coordination, participation and engagement of the citizens in development, mobilization of support and use of capital in a greater manner for national development, reduction in delay in decision-making, greater equity in distribution of resources and investments as well as reduction in apathy of administration to customer. In this sense, 22 years after the 73rd Constitutional Amendment, it is unanimously and acutely realized that the mechanism of democratic decentralization cannot be complete without devolution of sufficient and legitimate financial and administrative powers to the grassroots institutions.

Decentralization of powers and 73rd Amendment Act 1992

When the constitution of independent India was written, Panchayati raj institutions did not get a position in its main body, only a reference in state policy's directive principles. Therefore, the state did not take both the Urban and rural local bodies seriously. The Indian states were operating as a federation only at two stages- Union and States. Due to the dismissive behavior of the central and state governments towards the devolution of powers to PRI's made little headway in the years after independence, though a lot of noise was made at any conceivable juncture.

Under this backdrop that on 15 May 1989 the Constitution (64th Amendment) Bill was drafted and passed in Parliament. While the 1989 Bill in itself was a welcome move, there was serious

opposition to it. Though the Constitution Bill won a two-thirds majority in the Lok Sabha, it failed to meet the mandatory requirement by two votes in the Rajya Sabha. The National Front government introduced the 74th Amendment Bill (a combined bill on panchayats and municipalities) on 7 September 1990 during its short tenure in office but it was never taken up for discussion. By this time, all the political parties had advocated a constitutional amendment for strengthening panchayats in their speeches and manifestos and a pro- Panchayati raj atmosphere existed in the region. In September 1991, the Congress Party government initiated the 72nd (Panchayats) and 73rd (Municipalities) Constitutional Amendment Bills, which were passed in both chambers in December 1992 as the 73rd and 74th Amendment Acts, and came into effect in 1993.

The Panchayati raj institutions in India have been ordained to empower citizens at the three relevant levels but the purpose has fulfilled to a greater degree with the promulgation of 73rd Constitutional Amendment Act 1992. 73rd amendment reinforces administrative federalism in order to promote and enable transfer of administrative and financial powers from the states to the municipal bodies. There are executive powers and to discharge their duties, are solely extracted from laws that would have to be enacted by the states. Decentralization denotes the transition of power and jurisdiction from the central government to local units of the government for the meeting of grass root people demand.

Challenges to the decentralization of Powers

Even after the introduction of the Panchayati Raj Institutions in India in almost every province, still there seems to be different problems that are yet to be dealt in order to ensure successful involvement of these institutions. In India, there are about 2,32,278 panchayats at the village level; 6022 at the intermediate level; 535 at the district level still the panchayats has marginal powers to raise revenue. They do not have the authority to levy taxes and thus they are hugely dependent on the State Government for funding. Therefore, it is only a practical autonomy since it appears to be an expanded form for the State Government and no other legislative body even after having a Constitutional Structure.

The findings of the State Finance Commission are not approved. The State Finance Commission is intended to ensure an efficient system for the Panchayati institutions but it seems as if these institutions are merely on papers and not otherwise. There is no unified scheme of election around the country as it is administered by the State Election Commission. This leads to a technical deformity as the Constitution grants them an equal status and hence there should be uniformity in the process adopted in the running of the Panchayati institutes

in India. Out of the total panchayats, 27 lakh people are elected in India wherein 37 percent are women; 19 percent are SC and 12 percent are ST.

Despite the constitutional empowerment, the local bodies face problems of insufficient funding to carry out different activities entrusted to them. Transfers made by the State Finance Commissions are often meagre in most States. In most of the nations, most of the GPs are considered unwilling to increase their own source of income (OSR) (OSR). Just a few GPs are able to raise OSR in the form of tax or non-tax income by renting stores, house tax and clean water fee. On the Panchayati Raj Day in 2015, the Prime Minister called for an end to 'Sarpanch Patti culture'. But it is also very much present in the country, largely due to gender inequalities, women illiteracy and patriarchal society. One of the GPs do not have their own building and they share room with classrooms, Anganwadi Centre and other locations. Some have their own house but without basic amenities including sanitation, drinking water, and electricity access. Although GPs have internet access, they are not functional in many ways. For some data entry purposes, panchayat officials have to visit Block Development offices which delay the job.

CONCLUSION

Decentralization is generally celebrated as a core component of good government and growth. Decentralization and democracy can increase the chances for sustainable economic growth. It is clear that an honest attempt to eradicate poverty and foster economic growth in India needs significant decentralization of government power, far beyond the state level.

The 73rd and 74th Amendments represent a new period in the federal democratic set-up of the nation by granting legislative status to the state self-governing institutions at the rural and urban levels. The two amendments are, therefore, landmarks as regards the substance, state legislatures have been hesitant to pass real powers and have kept with them, or with their officials, the powers of oversight, regulation, suspension, notice of duties, approvals of the schemes and the like. Under the reforms, the state would have to delegate these powers to the grassroots institutions.

The engine of democratic decentralization of powers run using Panchayati raj institutions seems to have been derailed. There is a lack of political will and institutional support; the awareness of the constitutional perception of Panchayati raj is also insufficient. There is a need for another series of constitutional amendments combined with continued demand from the electorate. The proposal of amending the Constitution, made public by the Prime Minister, has not been followed. Electorates ought to be informed on

decentralization processes and their rights in this method.

It would not be incorrect to claim that the Panchayati raj institutions have started playing their administrative function in the manner it was thought to be. But the dilemma arises at the stage of the feedback from the largest stakeholder, i.e. the public at large. The organization is today caused by numerous ill activities like the proxy voting or the hypocrisy at large or the dominance of the political parties. It is therefore necessary to launch the change initially targeting the electorate, which involve educating the voters as well as making them competent to understand their rights and duties. Even the functioning of the panchayat in India requires a systemic reform as it does not have any powers to levy tax, and hence it is relying on the State Government for financial assistance and loses its independency. The position of the political parties is still very permanent in the Panchayati raj system and hence these issues need to be resolved at the earliest. Therefore, it can be seen that the Panchayati Raj Institutions have succeeded a long way in achieving the mission that they were thinking with. Yet there comes different issues today that need to be tackled. In India, the majority of the population belongs to the rural areas and hence it is required that the administration such units is made effective.

REFERENCES

1. Sheikh, Y. A. Democratic Decentralization in India: An overview.
2. Sarker, A. E. (2003). The illusion of decentralization: evidence from Bangladesh. *International Journal of Public Sector Management*.
3. Kashyap, S. C., & Ram, D. S. (2015). The Grassroots Governance journal.
4. Sheikh, Y. A. (2014). People's participation in local governance in India. *Review of Research Journal*, 3(9).
5. Singhal, V. (2015). An Overview of Panchayati Raj Institutions in India. Available at SSRN 2692135.
6. Sharma, A. P. (2013). Empowering Gram Sabha through social audit. *Kurukshetra*, 61(7), 16-20.
7. Gupta, A. K., Nair, S. S., Ghosh, O., Singh, A., & Dey, S. (2014). Bundelkhand drought: Retrospective analysis and way ahead. *National Institute of Disaster Management, New Delhi*, 148.
8. Rao, S. L. (2013). Rural marketing as opportunity marketing in India: The way ahead. *International Journal of Innovative Research and Practices*, 1(5), 29-34.
9. Azhruddin, M. O. H. D. The Role of Panchayati Raj Institutions in rural Development: Measures to Improve Their Functioning.

10. Singhal, V. (2015). An Overview of Panchayati Raj Institutions in India. Available at SSRN 2692135.
11. Sharma, L. K. (2019). Panchayati raj system in India : An Analysis. *Journal of the Gujarat Research Society*, 21(14), 2782-2791.